

ORIGINAL

cc: JMS

JMS

DANA M. O. VIOLA 6095  
Corporation Counsel

SEALED

BY ORDER OF THE COURT

ROBERT M. KOHN 6291  
Deputy Corporation Counsel  
City and County of Honolulu  
530 South King Street Room 110  
Honolulu, Hawai'i 96813  
Telephone: 768-5129  
Facsimile: 768-5105  
Email: robert.kohn@honolulu.gov

FILED IN THE  
UNITED STATES DISTRICT COURT  
DISTRICT OF HAWAII

MAR 31 2022

at 2 o'clock and 31 min. P.M.  
CLERK, U.S. DISTRICT COURT

LS

Attorney for  
CITY AND COUNTY OF HONOLULU

UNITED STATES DISTRICT COURT

DISTRICT OF HAWAII

CITY AND COUNTY OF  
HONOLULU,

Plaintiff,

vs.

UNITED STATES OF AMERICA,

Defendant.

CIVIL NO. 19-00026 JMS-RT

RESPONSE TO UNITED STATES'  
MOTION FOR RELEASE OF  
SEALED DOCKET SHEET TO THE  
UNITED STATES; CERTIFICATE OF  
SERVICE

Judge: Hon. J. Michael Seabright

UNDER SEAL FILING

RECEIVED  
CLERK, U. S. DISTRICT COURT

MAR 31 2022 2:31 PM  
DISTRICT OF HAWAII

LS

RESPONSE TO UNITED STATES' MOTION FOR RELEASE OF SEALED  
DOCKET SHEET TO THE UNITED STATES

The City and County of Honolulu files this response to the Government's motion seeking an order releasing the sealed docket sheet in this closed case, which has not been reopened. The City does not oppose the Government's reviewing the sealed docket sheet, provided that the Government agrees, prior to any such review, that it will not include, cite, reference, or otherwise use the sealed docket and information contained therein in any public filing in any case.

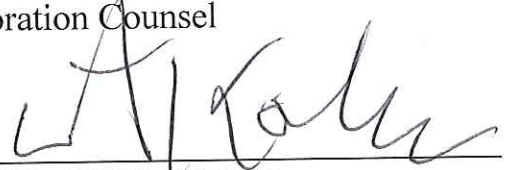
The City does not understand why a motion is being filed in this closed, sealed matter. The reason that the Government provided in its motion relates to its discovery obligations in an open criminal matter currently proceeding before Judge Kobayashi (Crim. No. 21-cr-00142 LEK). There is also a related matter, Civ. No. 22-mc-00103-LEK-WRP, which the City initiated when it received subpoenas requiring it to participate in discovery in the criminal case. A hearing on the City's motion to quash and for in camera submission is set for Friday April 1, 2022, at 3:00 p.m. before Judge Kobayashi. To the extent the Government has discovery obligations in the criminal matter or requires a judicial order so that it may comply with any such obligations, the City's position is that Judge Kobayashi is the appropriate Court to rule on any discovery issues or related motions in both 21-cr-00142 and 22-mc-00103, as she is currently doing.

If this Court is inclined to grant the motion, the City requests that the Court's Order require the Special Attorneys to abide by the confidentiality provisions in place for this sealed matter, and prohibit public citation to or usage of the sealed docket sheet.

DATED: Honolulu, Hawai'i, March 31, 2022.

DANA M. O. VIOLA  
Corporation Counsel

By

  
ROBERT M. KOHN  
Deputy Corporation Counsel

Attorney for  
CITY AND COUNTY OF HONOLULU